

### **REMARKS**

Claims 25-30 are pending. By this amendment, claims 1-24 are cancelled and new claims 25- 30 presented. The foregoing separate sheets marked as "Listing of Claims" shows all the claims in the application, each with an indication at its first line showing its current status.

#### **I. Rejections Not Based on Prior Art**

Claims 2-13 and 16 are cancelled and, therefore, the Office Action's rejection of claims 2-13 is 16 10 and 20 under 35 U.S.C. § 112, second paragraph, is rendered moot. For the record, the rejection is not fully understood but Applicants respectfully submit that new claims 25-30 meet the definiteness requirement of by 35 U.S.C. § 112, second paragraph.

#### **II. Rejections Based on Prior Art**

Claims 1-3, 6, 7, 10, 12, 13, 15, 16, 20 and 22, now cancelled, are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,837,843 ("Gazeau").

Claims 4, 5, 8, 9, 11, 14, 17-19, and 21, now cancelled, are rejected under 35 U.S.C. § 102 as being unpatentable over Gazeau.

All of these rejections are moot because all of the claims are cancelled. New claims 25-30 define structure disclosed by Applicants' specification and drawings that is clearly patentable over Gazeau and all other items of cited prior art, alone or in combination.

New claim 25 recites the path having a linear section. Gazeau does not disclose anything that conveys a vessel along a linear path. Gazeau's apparatus conveys cradles 20 around a circular path, *i.e.*, the dotted circle at the top of Gazeau's Fig. 2.

Dependent claims 26-30 are combination claims having all of their respectively recited elements in combination with all elements of base claim 25, and any intervening claims. These claims are therefore patentable over Gazeau for at least the reasons that base claim 25 is patentable.

Dependent claim 30 further recites a first and second rotatable wheel and an endless belt engaged with the first and second wheel. Gazeau shows a centrifuge system where the "pendulous tubes (1)" are affixed to arms (10) by pivots (12). Modifying Gazeau to use an apparatus as defined by dependent claim 30 would require a complete and total reconstruction of Gazeau's apparatus, having a completely different structure, and an entirely changed principle of operation.

In view of the foregoing, it is requested that the application be reconsidered, that claims 25 – 30 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: mike@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis, Christofferson & Cook, P.C.).

Respectfully submitted,



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